UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,496	01/15/2004	Chae-Whan Lim	46219	6312

1609 7590 05/02/2008

ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.
1300 19TH STREET, N.W.
SUITE 600
WASHINGTON,, DC 20036

EXAMINER	
HOLDER, ANNER N	

ART UNIT	PAPER NUMBER
2621	

MAIL DATE	DELIVERY MODE
05/02/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/757,496	LIM ET AL.	
	Examiner	Art Unit	
	ANNER HOLDER	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of undue length. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama US 7,130,618 B2.

4. As to claim 1, Yokoyama teaches a method for enabling a moving picture mail server to receive moving picture mail from a first mobile terminal and transmit the received moving picture mail to the second mobile terminal, [abstract; fig. 1; figs. 5-7; col. 3 lines 50-64] comprising the steps of: (a) confirming a support codec of the first mobile terminal serving as a transmitting side; [col. 4 lines 21-30; col. 9 lines 48-67; col. 12 lines 36-67; figs. 4-13] (b) confirming a support codec of the second mobile terminal serving as a receiving side; [col. 4 lines 21-30] (c) determining whether or not the support codecs of the first and second mobile terminals are compatible; [fig. 3; figs. 7-9; fig. 12; col. 6 lines 28-36; col. 15 lines 46-56] (d) if the support codecs of the first and second mobile terminals are compatible, transmitting the moving picture mail received from the first mobile terminal to the second mobile terminal; [fig. 3; figs. 7-9; fig. 12; col. 6 lines 28-36; col. 15 lines 46-56] (e) if the support codecs of the first

and second mobile terminals are incompatible, transcoding the moving picture mail received from the first mobile terminal on the basis of the support codec of the second mobile terminal; [fig. 3; figs. 7-9; fig. 12; col. 6 lines 28-36; col. 15 lines 46-56; col. 16 lines 1-7] and (f) transmitting the transcoded moving picture mail to the second mobile terminal. [fig. 3; figs. 7-9; fig. 12; col. 6 lines 28-36; col. 15 lines 46-56]

5. As to claim 2, Yokoyama teaches selecting a first codec corresponding to the support codec of the first mobile terminal and a second codec corresponding to the support codec of the second mobile terminal; [col. 5 lines 10-21; col. 6 lines 37-65; fig. 3; figs. 7-9; fig. 12; col. 6 lines 28-36; col. 15 lines 46-56] decoding the moving picture mail received from the first mobile terminal by means of the selected first codec; [col. 5 lines 10-21; col. 6 lines 37-65; fig. 3; col. 10 lines 1-67] and coding the decoded moving picture mail by means of the selected second codec. [col. 12 lines 62-67; col. 13 lines 1-67]

6. As to claim 4, Yokoyama teaches receiving a moving-picture mail transmission notification message from the first mobile terminal; [col. 4 lines 17-31; col. 4 line 66 - col. 5 line 21] and confirming the first mobile terminal's support codec information included in the moving-picture mail transmission notification message, [col. 4 lines 17-31; col. 4 line 66- col. 5 line 21] (b) further comprises the steps of: notifying the second mobile terminal of the fact that the moving picture mail has arrived; [col. 5 lines 1-21; obvious that upon receipt of data notification is provided to start processing] and receiving a response message from the second mobile terminal, and confirming the second mobile terminal's support codec information included in the response message. [col. 4 lines 17-31; col. 4 line 66- col. 5 line 21]

7. As to claim 10, Yokoyama teaches a first mobile terminal equipped with a first codec for transmitting moving picture mail coded by the first codec; [abstract; fig. 1; figs. 5-7; col. 3 lines 50-64] a second mobile terminal equipped with a second codec for decoding received moving picture mail by the second codec; [abstract; fig. 1; figs. 5-7; col. 3 lines 50-64] a moving picture mail server comprising: a database for storing codec information of the first and second mobile terminals; [fig. 1; fig. 3; fig. 7; fig. 10; col. 5 lines 24-32] a transmission controller for confirming support codecs of the first and second mobile terminals to output codec information and generating a path control signal of the moving picture mail on the basis of the codec information; [fig. 3; fig. 1; col. 3 lines 50-64; col. 4 lines 57-65; col. 6 lines 21-34] and a switch for setting a first path for receiving the moving picture mail from the first mobile terminal and a second path for outputting the moving picture mail to the second mobile terminal, according to the path control signal; [fig. 3; fig. 1; col. 3 lines 50-64; col. 4 lines 57-65; col. 6 lines 21-34] and a transcoding server comprising: a coding controller for generating a selection control signal for selecting a first codec corresponding to the first mobile terminal and a second codec corresponding to the second mobile terminal according to the codec information output from the transmission controller; [col. 4 lines 21-30; col. 9 lines 48-67; col. 12 lines 36-67; figs. 4-13] the first codec selected by the coding controller, the first codec decoding the moving picture mail received from the first mobile terminal through the first path; and the second codec for performing a transcoding operation by coding the moving picture mail so that the second mobile terminal can decode the coded moving picture mail and outputting a result of the transcoding operation to the second path. [col. 4 lines 21-30; col. 9 lines 48-67; col. 12 lines 36-67; figs. 4-13]

8. Claims 3 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama US 7,130,618 B2 in view of Fukuhara et al. (Fukuhara) US 6,591017 B1.

9. As to claim 3, Yokoyama teaches the limitations of claim 2.

Yokoyama is silent as to a Joint Photographic Expert Group (JPEG) codec and the second codec comprises a wavelet codec.

Fukuhara teaches the use of a Joint Photographic Expert Group (JPEG) codec and the second codec comprises a wavelet codec. [col. 1 lines 36-42]

It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Fukuhara with the device of Yokoyama to allow for efficiency encoding.

10. As to claim 11, Yokoyama (modified by Fukuhara) teaches the first codec comprises a Joint Photographic Expert Group (JPEG) codec. [col. 1 lines 36-42]

11. As to claim 12, Yokoyama (modified by Fukuhara) teaches the second codec comprises a wavelet codec. [col. 1 lines 36-42]

12. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoyama US 7,130,618 B2 in view of Lee et al. (Lee) US 6,023,296.

13. As to claim 5, Yokoyama teaches the limitations of claim 2.

Yokoyama is silent as to when the second mobile terminal requests that the moving picture mail be transmitted, transmitting the moving picture mail at a preset transmission rate; and checking buffering information of the moving picture mail fed from the second mobile terminal, newly setting the transmission rate according to a change of the buffering information, editing the moving picture mail according to the newly set transmission rate, and performing a transmission operation.

Lee teaches when the second mobile terminal requests that the moving picture mail be transmitted, transmitting the moving picture mail at a preset transmission rate; [fig. 5; col. 12 lines 8-51] and checking buffering information of the moving picture mail fed from the second mobile terminal, newly setting the transmission rate according to a change of the buffering information, editing the moving picture mail according to the newly set transmission rate, and performing a transmission operation. [fig. 5; col. 12 lines 8-51; col. 6 lines 56-64; fig. 2]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Lee with the device of Yokoyama to allow the picture mail with the edited text to be encoded then transmitted to the second user so that the use able to receive both picture mail and text information.

14. As to claim 6, Yokoyama (modified by Lee) teaches the step of newly setting the transmission rate comprises the step of: confirming a new transmission rate based upon the buffering information transmitted from the second mobile terminal through a transmission rate change table and setting the confirmed new transmission rate, [fig. 5; col. 12 lines 8-51; col. 6 lines 56-64; fig. 2] the moving picture mail server including the transmission rate change table corresponding to the buffering information. [fig. 5; col. 12 lines 8-51; col. 6 lines 56-64; fig. 2]

15. As to claim 7, Yokoyama (modified by Lee) teaches performing an editing operation by reducing a size of an image frame according to the newly set transmission rate so that image data can be reproduced in real time. [abstract; col. 2 lines 41-65fig. 5; col. 12 lines 8-51; col. 6 lines 56-64; fig. 2; col. 6 lines 13-20]

16. As to claim 8, Yokoyama (modified by Lee) teaches receiving the moving picture mail from the moving picture mail server, storing the received moving picture mail in a buffer,

[Yokoyama - fig. 1; fig. 3; fig. 7; fig. 10; col. 5 lines 24-32] reproducing data of the received moving picture mail, [Yokoyama - col. 10 lines 1-5; col. 12 lines 62-67] and buffering other data of the received moving picture mail when an amount of data accumulated in the buffer has reached a predetermined size or more; [Yokoyama - fig. 1; the system contains multiple storage device; col. 3 lines 50-58; col. 5 lines 24-32] allowing the second mobile terminal to generate buffering information based upon the amount of data accumulated in the buffer at a predetermined time interval and to transmit the buffering information to the moving picture mail server; and repeatedly performing an operation for receiving moving picture mail from the moving picture mail server according to a newly set transmission rate based upon the buffering information, storing the moving picture mail in the buffer, and reproducing the moving picture mail. [Yokoyama - fig. 1; fig. 3; fig. 7; fig. 10; col. 5 lines 24-32]

17. As to claim 9, Yokoyama (modified by Lee) teaches checking the amount of data accumulated in the buffer at a predetermined time; and deciding the buffering information according to the amount of data accumulated in the buffer and transmitting the determined buffering information to the moving picture mail server.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yamaguchi US 6,693,510 B1; Queiroz et al., Wavelet Transforms in JPEG-Like Image Color, IEEE Transactions on Circuits and Systems for Video Technology, Vol. 7, No. 2, April 1997.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANNER HOLDER whose telephone number is (571)270-1549. The examiner can normally be reached on M-Th, M-F 8 am - 3 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANH 04/30/08

/Tung Vo/
Primary Examiner, Art Unit 2621